UNITED STATES DISTRICT COURT EASTERN DISTRICT OF NORTH CAROLINA NORTHERN DIVISION

NO. 2:10-CR-26-H

UNITED STATES OF AMERICA)
)
v.) DISMISSAL OF COUNT ONE OF
) THE INDICTMENT
MALIK JAMAL FOREMAN)

Pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure, and by leave of Court endorsed hereon, the United States Attorney for the Eastern District of North Carolina hereby dismisses Count One of the indictment in this matter.

GEORGE E.B. HOLDING United States Attorney

BY: <u>/s/ Denise Walker</u>
DENISE WALKER

Assistant United States Attorney

Criminal Division

310 New Bern Avenue, Suite 800

Raleigh, NC 27601-1461 Telephone: (919) 856-4530

Fax: (919) 856-4487

E-mail: denise.walker@usdoj.gov

NC State Bar No. 34271

Leave for filing of the foregoing is hereby granted this 22 day of March, 2011.

MALCOLM'/. Howard

SENIOR UNITED STATES DISTRICT JUDGE